IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 16-12-2005
Criminal Misc. Bail Application No. 1130 of 2005
Order on the bail application of accused

CRIMINAL SIDE

Mahipal S/o Sri Chandrabhan Kashyap
R/o Village Sunhara, P.S.Gangnahar Roorkee
District- Haridwar.

…. Applicant (In Jail)

Versus

State of Uttaranchal ..... Opposite Party.

Arising out of Case Crime No 159/2005
U/Ss 377 of I.P.C.
P.S. Gangnahar Roorkee
District- Haridwar.

By the court

Hon'ble B.S. Verma, J.

Heard Manish Arora learned counsel for the applicant and the learned A.G.A. for the State.

The applicant has applied for bail in Crime No. 159 of 2005, under Sections 377 of I.P.C. of Police Station- Gangnahar, District- Haridwar.

Perused the record. It has been contended by the learned counsel for the applicant that the applicant was falsely implicated in the case; that the case is exclusively triable by the Magistrate of the First Class and that the accused is confined in jail since 10-10-2005.

Considering the facts and the circumstances that the applicant has been lodged in jail since 10-10-2005; that the offence is triable by the Magistrate of the First Class and the submissions of the learned counsel for the applicant, I am of the view that it is a case fit for bail.

Let the applicant-accused be released on bail on his executing a Personal Bond and two sureties each in the like amount to the satisfaction of the Chief Judicial Magistrate concerned.

(B.S. Verma J.)

Dated: 16-12-2005